IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 2432 of 2007

Date of decision : July 26, 2007

Rajinder Singh & others

.....Petitioners

through Mr. C.M.Munjal, Advocate

v.

State of Haryana & others

.....Respondents

through Mr.R.S.Kundu, Sr.Addl.A.G.Haryana

CORAM : HON'BLE MR.JUSTICE P. SATHASIVAM
HON'BLE MR.JUSTICE RAJIVE BHALLA

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1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

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RAJIVE BHALLA,J

Prayer in the present writ petition is for the issuance of a writ in the nature of certiorari for quashing the notification, dated 1.8.2006 (Annexure P-1), issued under Section 4 of the Land Acquisition Act, 1894 (for short herein after referred to as "the Act"), the order, dated 31.10.2006 (Annexure P-5), dismissing the objections, filed by the petitioners, and the notification, dated 12.1.2007 (Annexure P-6), issued under Section 6 of the Act.

Counsel for the petitioners contends that the proposed alignment of Ghaggar Baruwali-I Link Channel from RD 36500 Ghaggar River in villages Chak Thiraj, Musahabwala, Panihari, Bharokhan and Baruwali-I, Tehsil and District Sirsa, would cause a great loss to the

petitioners. It is contended that the alignment be altered to the green line, appearing in the site plan, Annexure P-4, as the said alignment would be in a straight line and, thus, shorter. The cost of the project would also be proportionately reduced.

Counsel for the respondents, on the other hand, contends that the alignment, proposed by the petitioners, lies along the Punjab/Haryana border and is even otherwise technically not feasible. It is contended that the petitioners' grievance that the present alignment would lead to the uprooting of a large number of tubewells, is baseless, as these tubewells are unauthorised.

We have heard counsel for the parties and perused the paper book.

We are of the considered opinion that this Court is least equipped to opine as to the efficacy of the proposed alignment or the alignment suggested by the petitioners. Such matters are best left to the opinion of experts, except where they are demonstrated to be mala fide or arbitrary. As the respondents, after examining the petitioners' proposal, have rejected it, we find no reason to interfere.

No other point has been urged or raised.

We find no merit in the present writ petition, which is dismissed, with no order as to costs.

(RAJIVE BHALLA)
JUDGE

July 26, 2007. **(P. SATHASIVAM)**
`kk' **JUDGE**